

PATENT

Atty Docket No.: 200208212-1

App. Ser. No.: 10/608,151

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks. Claims 1-46 are pending in the present application of which claims 1, 15, 29, 32, 35 and 40 are independent.

Claims 1-46 have been subjected to a restriction requirement, and claims 2-3, 8, 14, 16-19, 20, 23-24, 37, and 39 are further subject to an election of species requirement.

None of the pending claims were rejected over prior art.

Election

The Applicants hereby elect with traverse Group I and species Group A, which includes claims 1-14 and 35-39. In particular, Group 1 includes claims 1-14 and 35-39, and species Group A includes claims 2-3, 16-17, 24 and generic claims 1 and 35. The Applicants' also believe that Species Group A includes claims 4-7, 9-13, 36, and 38, because these claims are not mentioned in the election of species requirement and they are believed to be in the same species as claims 2-3, 16-17, 24 and generic claims 1 and 35.

Restriction Requirement

The restriction requirement alleges that the application contains claims directed to the following inventions:

- I. Claims 1-14 and 35-39
- II. Claims 15-31
- III. Claims 32-34
- IV. Claims 40-46

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As set forth above, The Applicants elect group I, claims 1-14 and 35-39.

Improper Election of Species Requirement

The election requirement alleges that the application contains claims directed to the following patentably distinct species of the claimed invention:

Group A, claims 2-3, 16-17, and 24

Group B, claims 8, 14, 20, 23, 37, and 39

Group C, claims 18-19

The election is made with traverse, because it is believed that all of the species can be examined at the same time without serious burden. MPEP Section 803 states:

If the search and examination of all the claims in an application can be made without serious burden, the examiner **MUST** examine them on the merits, even though they include claims to independent or distinct inventions. Clearly there is no burden to examine claims 8, 14, 37, and 39, because a search of the claims of group A would encompass a search of claims 8, 14, 37, and 39. Accordingly, the Examiner is respectfully requested to examine all the claims of group I, claims 1-14 and 35-39, together.

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Conclusion


In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Dated: April 20, 2006

By


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